



MICHIGAN  
HOUSE OF REPRESENTATIVES  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

## HOUSE STANDING COMMITTEE ON APPROPRIATIONS

Wednesday, October 4<sup>th</sup>, 2017                      9:00 a.m.                      Room 352 State Capitol Building

Representative Cox, Chair, called the meeting to order.

Chair Cox requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yaroach, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Peterson, Rabhi, and Santana.

Absent: None.

Excused: None.

Representative Hernandez moved to approve the minutes of the September 20<sup>th</sup>, 2017 meeting. The motion prevailed by unanimous consent.

The Chair laid the presentation on a proposed Sexual Assault Kit Tracking System before the committee.

Lore Rogers and Debi Cain, representing the Michigan Department of Health and Human Services, Sergeant Amy Dehner and Jeff Nye, representing the Michigan State Police, and Anica Letica, representing Michigan Attorney General Bill Schuette, gave a presentation on a proposed Sexual Assault Kit Tracking System. Questions and discussion followed.

The Chair laid SB 253 before the committee:

SB 253     (Hildenbrand)     Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2017-2018.

Robin Risko, Kevin Koorstra, and Bill Hamilton, all representing the House Fiscal Agency, testified on the bill. Questions and discussion followed.

Lore Rogers, representing the Michigan Domestic and Sexual Violence Prevention and Treatment Board, submitted a testimony card in support of the bill, and wishing to speak, but was unavailable.

Representative Allor moved to adopt substitute (H-1) Draft 1, for SB 253. The motion prevailed by a vote of 28-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yaroach, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Rabhi, and Santana.

Nays: None.

Pass: None.

Chair Cox offered the following amendments to SB 253, as substitute (H-1) Draft 1:

1. Amend page 5, following line 10, by inserting:		
"Full-time equated classified positions.....	2.0".	
2. Amend page 10, following line 16, by inserting:		
"Full-time equated classified positions.....	1.0".	
3. Amend page 11, following line 3, by inserting:		
"Full-time equated classified positions.....	1.0	
Domestic violence prevention and treatment--1.0 FTE		
position.....	\$	154,500".
4. Amend page 11, line 4, by striking out "\$".		
5. Amend page 11, following line 5, by inserting:		
"Uniform statewide sexual assault evidence kit		
tracking system .....		4,000,000".
6. Amend page 14, following line 15, by inserting:		
<b>"Sec. 160. DEPARTMENT OF STATE POLICE</b>		
<b>(1) APPROPRIATION SUMMARY</b>		
Full-time equated classified positions.....	1.0	
GROSS APPROPRIATION.....	\$	158,900
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental		
transfers.....		0
ADJUSTED GROSS APPROPRIATION.....	\$	158,900
Federal revenues:		
Total federal revenues.....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total other state restricted revenues .....		0
State general fund/general purpose.....	\$	158,900
<b>(2) LAW ENFORCEMENT SERVICES</b>		
Full-time equated classified positions.....	1.0	
Grants and community services--1.0 FTE position .....	\$	118,900
Training.....		20,000
GROSS APPROPRIATION .....	\$	138,900
Appropriated from:		
State general fund/general purpose.....	\$	138,900
<b>(3) MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS</b>		
Standards and training/justice training grants.....	\$	20,000
GROSS APPROPRIATION .....	\$	20,000

Appropriated from:

State general fund/general purpose..... \$ 20,000"  
and adjusting subtotals, totals, and section 201 accordingly.

7. Amend page 27, following line 12, by inserting:

"Sec. 1450. (1) From the funds appropriated in part 1A for domestic violence prevention and treatment, the department shall allocate \$134,500.00 to fund 1.0 additional FTE position for the Michigan domestic and sexual violence prevention and treatment board to conduct an annual audit of the proper submission of sexual assault evidence kits as required by the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935. The department shall allocate \$20,000.00 to the Michigan domestic and sexual violence prevention and treatment board to plan, prepare, and implement training for healthcare providers on existence of the uniform statewide sexual assault evidence kit tracking system, the requirement to use the system, and requirements of the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935.

(2) By September 30 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department of health and human services, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office, a report on the findings of the audit described in subsection (1), including, but not limited to, a detailed county-by-county compilation of the number of sexual assault evidence kits that were properly submitted and the number that met or did not meet deadlines established in the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935, the number of kits retrieved by law enforcement after analysis, and the physical location of all released kits collected by healthcare providers in that year, as of the date of annual draft report for each reporting agency.

Sec. 1451. (1) From the funds appropriated in part 1A for the uniform statewide sexual assault evidence kit tracking system, in accordance with the final report of the Michigan sexual assault evidence kit tracking and reporting commission that was issued in response to section 2 of 2014 PA 318, MCL 752.962, \$4,000,000.00 is allocated to contract for development and implementation of a uniform statewide sexual assault evidence kit tracking system. The system shall include the following:

- (a) A uniform statewide system to track submission and status of sexual assault evidence kits.
- (b) A uniform statewide system to audit untested kits that were collected on or before March 1, 2015 and were released by victims to law enforcement.
- (c) Secure electronic access for victims.
- (d) Ability to accommodate concurrent data entry with kit collection through various mechanisms, including web entry through computer or smartphone, and through scanning devices.

(2) The funds appropriated in part 1A for the uniform statewide sexual assault evidence kit tracking system are considered work project appropriations, and any unencumbered or unexpended funds shall not lapse at the end of the fiscal year and shall be available for expenditure in succeeding fiscal years. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the project is to develop and implement a uniform statewide sexual assault evidence kit tracking system as provided in section 2 of 2014 PA 318, MCL 752.961 to 752.962.
- (b) The project will be accomplished by contract.
- (c) The total estimated cost of the project is \$4,000,000.00.

(d) The tentative completion date is September 30, 2022.

(3) By March 30 of the current fiscal year, the department shall submit to the senate and house appropriations subcommittees on the department of health and human services, the senate and house fiscal agencies, the senate and house policy offices, and the state budget office, a status report on implementation and operation of the uniform statewide sexual assault evidence kit tracking system, including operational status and any known issues regarding implementation."

8. Amend page 28, following line 1, by inserting:

**"DEPARTMENT OF STATE POLICE**

Sec. 1701. From the funds appropriated in part 1A for grants and community services, the department shall allocate \$118,900.00 to fund 1.0 FTE position to coordinate the department's implementation and ongoing utilization of the uniform statewide sexual assault evidence kit tracking system. The department shall act as a liaison between local law enforcement agencies and the department of health and human services regarding implementation and utilization of the uniform statewide sexual assault kit evidence tracking system and shall ensure that the department of state police maintains compliance with the statutory requirements outlined in the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935.

Sec. 1702. From the funds appropriated in part 1A for training, the department shall allocate \$20,000.00 to conduct 1 statewide training seminar for prosecutors, law enforcement leadership, and law enforcement officers on existence of the uniform statewide sexual assault evidence kit tracking system, the requirement to use the system, and requirements of the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935.

Sec. 1703. From the funds appropriated in part 1A for standards and training/justice training grants, the Michigan commission on law enforcement standards shall allocate \$20,000.00 to plan, prepare, and implement internet-based training seminars in order to train law enforcement officers on existence of the uniform statewide sexual assault evidence kit tracking system, the requirement to use the system, and requirements of the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935. The Michigan commission on law enforcement standards may also use regional, in-service, half-day training seminars in conjunction with, or in lieu of, internet-based training seminars to train law enforcement officers on existence of the uniform statewide sexual assault evidence kit tracking system, the requirement to use the system, and requirements of the sexual assault kit evidence submission act, 2014 PA 227, MCL 752.931 to 752.935."

The Chair explained the amendments.

Representative VerHeulen moved to adopt the amendments. The motion prevailed by a vote of 28-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yaroach, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Rabhi, and Santana.

Nays: None.

Pass: None.

Representative LaGrand offered the following amendments for SB 253, as substitute (H-1) Draft:

1. Amend page 6, following line 18, by striking out all of subsection (3).
2. Amend page 10, line 11, by striking out "1,000,000" and inserting ""1,100,000" and adjusting subtotals, totals, and section 201 accordingly.
3. Amend page 17, following line 16, by striking all of Sec. 1302.

Representative LaGrand explained the amendments.

Representative LaGrand moved to adopt the amendments for SB 253, as substitute (H-1) Draft 1. The motion did not prevail by a vote of 10-18-1.

**UNFAVORABLE ROLL CALL:**

Yeas: Reps. Durhal, Cochran, Faris, Kosowski, Hoadley, Pagan, LaGrand, Rabhi, and Santana.

Nays: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, and Yarocho.

Pass: Rep. Yanez.

Representative Faris offered the following amendments to SB 253, as substitute (H-1) Draft 1:

1. Amend page 11, following line 24, by striking out all of line 25 and adjusting subtotals, totals, and section 201 accordingly.
2. Amend page 26, following line 19, by striking all of Sec. 1408.

Representative Faris explained the amendments.

Representative Faris moved to adopt the amendments for SB 253, as substitute (H-1) Draft 1. The motion did not prevail by a vote of 8-20-1

**UNFAVORABLE ROLL CALL:**

Yeas: Reps. Durhal, Cochran, Faris, Kosowski, Yanez, Pagan, LaGrand, and Peterson.

Nays: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yarocho, Hoadley, and Rabhi.

Pass: Rep. Santana.

Representative Inman moved to report SB 253, as amended, as substitute (H-1), with recommendation. The motion prevailed by a vote of 29-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yarocho, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Peterson, Rabhi, and Santana.

Nays: None.

Pass: None.

The Chair laid SB 133 before the committee:

SB 133 (Hildenbrand) Appropriations; zero budget; multisection school aid supplemental; provide for.

Bethany Wicksall, representing the House Fiscal Agency, testified on the bill.

Annalisa Grunwald, representing the Michigan Association of Intermediate School Administrators, submitted a testimony card in support of the bill, but did not wish to speak.

Representative Kelly moved to adopt substitute (H-1) for SB 133. The motion prevailed by a vote of 29-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yaroach, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Peterson, Rabhi, and Santana.

Nays: None.

Pass: None.

Representative Kelly moved to report SB 133, as substitute (H-1), with recommendation. The motion prevailed by a vote of 29-0-0.

**FAVORABLE ROLL CALL:**

Yeas: Reps. Cox, VerHeulen, Kelly, Pagel, Victory, Afendoulis, Bizon, Canfield, Inman, Miller, Allor, Brann, Hernandez, LaSata, Marino, VanSingel, Whiteford, Yaroach, Durhal, Cochran, Faris, Kosowski, Yanez, Hoadley, Pagan, LaGrand, Peterson, Rabhi, and Santana.

Nays: None.

Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting, the time being 10:20 a.m.

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Representative Cox, Chair

Matthew Carnegie  
Committee Clerk  
October 4<sup>th</sup>, 2017

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Date Approved and Signed